

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW  
YORK

-x

Onyx Enterprises Int'l Corp.

Plaintiff,

1:20 Civ.05022 (JSR)

- against -

**AFFIDAVIT FOR  
JUDGMENT BY DEFAULT**

ID Auto Inc.

Defendant.

-x

STATE OF NEW YORK )  
) ss.:  
COUNTY OF NEW YORK )

Vincent Milette \_\_\_\_\_, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of

The Law Office of Vincent Milette, attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiff's application for the entry of a default judgment against defendant.

3. This is an action to recover no monetary damages owed by defendant to plaintiff for trademark infringement, unfair competition, false representation, and false designation of origin in violation of 15 U.S.C. § 1125; cybersquatting in violation of 15 U.S.C. § 1125(d); trademark infringement in violation of N.Y. Gen. Bus. Law § 360-k; and unfair competition in violation of N.Y. Gen. Bus. Law § 349 and New York common law.

4. Jurisdiction of the subject matter of this action is based on federal question and

supplemental jurisdiction pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331, 1338(a) & 1338(b), and § 1367(a).

5. This action was commenced on June 30, 2020 by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendant on July 15, 2020 by personal service on Nancy Dougherty, Business Document Specialist of the Secretary of State of the New York State Department of State, and proof of service by the Special Process Server was filed. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

6. This action seeks no monetary judgment from defendant ID Auto, Inc.

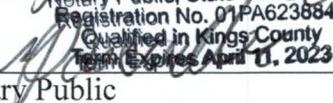
7. The disbursements sought to be taxed have been made in this action or will necessarily be made herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: New York,  
New York

August 13, 2020

  
(Attorney's name)

Sworn to before me this 13<sup>th</sup>/2020  
day of August, 2020  
SUSAN PASCARELLA  
Notary Public, State of New York  
Registration No. 01PA6236844  
Qualified in Kings County  
Term Expires April 11, 2023  
  
Notary Public

IF DEFENDANT IS AN INDIVIDUAL, ATTORNEY'S AFFIDAVIT MUST  
CONTAIN A STATEMENT THAT HE OR SHE IS NOT A MINOR, MENTALLY  
INCOMPETENT NOR IN THE MILITARY SERVICE OF THE UNITED STATES.